



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assignee: Newport Coast Investments
Serial No.: 10/086,193
60/551,673
60/571,668
Filed: February 27, 2002

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE
INTEREST (REVOCATION OF PRIOR POWERS)**

NO FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

As Assignee of the entire interest of the above-identified United States patent applications, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected to the above-identified applications and to any and all continuing, divisional, related, renewal, substitute, reexamination, reissue and/or foreign counterpart applications, and any and all applications assigned of record to Assignee: Louis M. Heidelberger, Reg. No. 27,899; John W. Goldschmidt, Jr., Reg. No. 34,828; William J. McNichol, Jr., Reg. No. 31,179; Maryellen Feehery, Reg. No. 44,677; Carl H. Pierce, Reg. No. 45,730; Nanda P.B.A. Kumar, Reg. No. 44,853; Thomas J. McWilliams, Reg. No. 44,930; Matthew J. Esserman, Reg. No. 41,536; Todd A. Norton, Reg. No. 48,636; Edward F. Behm, Jr., Reg. No. 52,606; Frederick H. Colen, Reg. No. 28,061; Gene A. Tabachnick, Reg. No. 33,801; Maria N. Bernier, Reg. No. 37,433; Barry J. Coyne, Reg. No. 43,566; Kirsten R. Rydstrom, Reg. No. 38,603; Paul D. Bangor, Jr., Reg. No. 34,768; Charles H. Dougherty, Jr., Reg. No. 42,494; Robert D. Kucler, Reg. No. 45,908; Cheryl L. Gastineau, Reg. No. 39,469; Ian K. Samways, Reg. No. 36,664; James Dilmore, Reg. No. 51,618; Stanley P. Fisher, Reg. No. 24,344; Juan Carlos A. Marquez, Reg. No. 34,072; Gerald Kiel, Reg. No. 25,116; Eugene Le Donne, Reg. No. 35,930; Jules Goldberg, Reg. No. 24,408; Lloyd McAulay, Reg. No. 20,423; Arthur Dresner,

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Please direct all correspondence to Louis M. Heidelberger, at Reed Smith LLP, 2500 One Liberty Place, Philadelphia, PA 19103-7301. Please direct all telephone calls to Carl H. Pierce at 215-241-7970.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements and the like may jeopardize the validity of the application or any patent issuing thereon.

Newport Coast Investments

Date: 12/12/04

By: 

Name: (Printed) RYAN STEELBERG

Title: MANAGER

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Application Number: 10/08619

Revised Power of Attorney Practice - 37 CFR 1.32
(Applies to Powers of Attorney filed on or after June 25, 2004)

This is in response to the Power of Attorney, filed 10/20/04. The Power of Attorney in this application is not accepted because applicant has not complied with 37 CFR 1.32(b).

As a result of a revision of the patent rules relating to powers of attorney, a power of attorney filed on or after June 25, 2004 must either appoint:

- a) One or more joint inventors; OR
- b) Those registered practitioners associated with a Customer Number; OR
- c) Ten or fewer patent practitioners, either in the power of attorney itself, or by a listing in a separate paper accompanying the power of attorney, as explained below.

See (newly established) 37 CFR 1.32(b) and (c), the text of which is as follows:

(b) A power of attorney must:

- (1) Be in writing;
- (2) Name one or more representatives in compliance with (c) of this section;
- (3) Give the representative power to act on behalf of the principal; and
- (4) Be signed by the applicant for patent (§ 1.41(b)) or the assignee of the entire interest of the applicant.

(c) A power of attorney may only name as representative:

- (1) One or more joint inventors (§ 1.45);
- (2) Those registered patent practitioners associated with a Customer Number;
- (3) Ten or fewer registered patent attorneys or registered patent agents (see § 10.6 of this subchapter) (patent practitioners). Except as provided in paragraph (c)(1) or (c)(2) of this section, the Office will not recognize more than ten patent practitioners as being of record in an application or patent. If a power of attorney names more than ten patent practitioners, such power of attorney must be accompanied by a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized by the Office as being of record in application or patent to which the power of attorney is directed.

The power of attorney appointed more than ten patent practitioners, without reference to a Customer Number and without a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized, and, as a result, did not comply with 37 CFR 1.32(b).

How to take corrective action: (1) Resubmit a copy of the power of attorney along with a separate paper indicating which (up to ten) patent practitioners named in the power of attorney are to be recognized by the Office as being of record in the application or patent to which the power of attorney is directed. The separate paper cannot identify a Customer Number, if the power of attorney signed by the applicant or assignee did not give power of attorney to a Customer Number. (2) Alternatively, a newly-executed power of attorney in compliance with 37 CFR 1.32 may be filed.

After receipt of such a submission, the patent practitioners listed on the separate paper or new power of attorney in compliance with 37 CFR 1.32 will be recognized as being of record. For additional information regarding this change in practice, see Revision of Power of Attorney and Assignment Practice, 69 Fed. Reg. 29865 (May 26, 2004); 1283 Off. Gaz. 148 (Jun. 22, 2004) and <http://www.uspto.gov/web/offices/pac/dapp/poafaqs.htm>.

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